

NOV 13 2003

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

Michael N. Milby, Clerk of Court

In Re Enron Corporation
Securities, Derivative &
"ERISA Litigation

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MDL-1446

THIS DOCUMENT RELATES TO:

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H-02-4080

MARK NEWBY, ET AL.,

§
§
§
§

Plaintiffs

VS.

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§
§
§

CIVIL ACTION NO. H-01-3624
CONSOLIDATED CASES

ENRON CORPORATION, ET AL.,

§

Defendants

INTERNATIONALE

§
§
§
§

KAPITALANLAGEGESELLSCHAFT mbH,
et al.,

Plaintiffs,

§

VS.

§
§
§
§

CIVIL ACTION NO. H-02-4080

CREDIT SUISSE FIRST BOSTON
CORPORATION, et al.,

§

Defendants.

§

ORDER

Pending before the Court is Plaintiffs' objection to and request for clarification of consolidation order¹ (#1162 in H-01-3624).

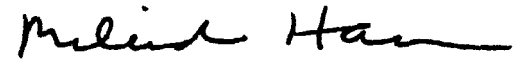
Although it appears to the Court that most of Plaintiffs' questions and complaints are moot in light of rulings in *Newby*, the Court grants Plaintiffs' request and addresses the substance of their concerns. The consolidation of H-02-4080 with

¹ Instrument #1154.

1840

H-01-3624 was for the purposes of coordinating overlapping discovery and for resolution of pre-trial motions addressing common issues of fact and law. Now that the motions to dismiss in *Newby* have been resolved and the stay on discovery lifted, Plaintiffs in H-02-4080 may pursue their individual case as pleaded unless they choose to proceed under Lead Plaintiff's class action complaint; they must, however, comply with the docket control pleading deadlines and discovery schedule established in *Newby*.

SIGNED at Houston, Texas, this 12th day of November, 2003.



MELINDA HARMON
UNITED STATES DISTRICT JUDGE